

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

In Re:

Case No. 10-1471 BKT

**JAIME L CASIANO COLON**

Chapter 13

Debtor(s)

---

**INFORMATIVE MOTION**

TO THE HONORABLE COURT:

**NOW COMES** the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is submitting the amendments to Schedule A.
2. That the reason for the amendments is to include widow usufruct information.

**WHEREFORE**, the Trustee respectfully requests this Honorable Court to take notice of the aforementioned.

**RESPECTFULLY SUBMITTED.**

**I HEREBY CERTIFY** that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor(s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

**In San Juan, Puerto Rico this 19 day of April of 2010.**

JPC LAW OFFICE

Jose M Prieto Carballo, Esq  
P.O. Box 363565  
San Juan, P.R. 00936-3565  
Tel (787) 607-2066 & Tel (787) 607-2166  
jpc@jpcclawpr.com

By: /s/ Jose M Prieto Carballo, Esq.

IN RE CASIANO COLON, JAIME L

Debtor(s)

Case No. 10-01471 BKT

(If known)

**AMENDED SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
<b>PROPERTY LOCATED A 17 B 188 523 , 5TA EXT VILLA CAROLINA, PR W/ 3 BDRMS, 1 BTHRM, KITCHEN, LIVING AND DINNING ROOM.</b>  <b>50% PLUS \$4,992.85 OF "USUFRUTO VIUDAL" PROPERTY ACCUIRED IN 1982 FOR \$45,000.00</b>	50%		140,000.00	70,000.00
<b>TOTAL</b>			<b>140,000.00</b>	

(Report also on Summary of Schedules)

IN RE CASIANO COLON, JAIME L

Debtor(s)

Case No. 10-01471 BKT

(If known)

**AMENDED DECLARATION CONCERNING DEBTOR'S SCHEDULES****DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 14 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: April 19, 2010 Signature: /s/ JAIME L CASIANO COLON  
**JAIME L CASIANO COLON**

Debtor

Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
 (Joint Debtor, if any)  
 [If joint case, both spouses must sign.]

**DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Social Security No. (Required by 11 U.S.C. § 110.)

*If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.*

Address

Signature of Bankruptcy Petition Preparer

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

*If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.*

*A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets (*total shown on summary page plus 1*), and that they are true and correct to the best of my knowledge, information, and belief.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

*[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]*

*Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.*

**INSTRUCCIONES PARA EL USO DE LA CALCULADORA (TEST VERSION 0.01a)**

*[La calculadora se ofrece para fines educativos y como ejemplos de los posibles cálculos. Deberá usarse únicamente para fines ilustrativos, y bajo su propia responsabilidad. La Asociación de Notarios no asume responsabilidad alguna por el uso de la calculadora. Para mayor certeza, deberá consultar con su notario o contador público autorizado.]*

Tan solo deben llenarse los espacios que están marcados con el color amarillo.

En el espacio identificado como **Caudal** Debe incluir el monto del caudal que va a ser objeto de partición. (Recordar que si se trata de bienes gananciales, la cantidad a incluirse debe ser solamente la que le corresponda al cónyuge fallecido.)

En los próximos espacios, incluir la **Edad de la viuda** y su género.

Para llenar el espacio de **expectativa de vida** debe hacerse referencia a la tabla de expectativa de vida que se vaya a utilizar. Para fines de ilustración, se incluye la tabla que aparece en la página \_\_\_\_\_

Seleccione la cantidad que corresponda a la expectativa de vida aplicable a su caso y coloque esta cantidad en el espacio amarillo.

Si hay hijos o descendientes, pase a la sección III, y utilice la sección correspondiente, dependiendo de si los hijos son **de un solo matrimonio** o si se trata de **hijos de mas de un matrimonio**, e indique el número de hijos que corresponda. De existir testamento, y de existir mejora, incluya la cantidad que corresponde a la **Mejora** en el espacio indicado.

*\*Para mayor información sobre la doctrina aplicable y ejemplos concretos del derecho de usufructo viudal, uede consultar el libro del Profesor Juan Muñiz Belbrú, Herencia, el Usufructo Viudal (Determinación y Liquidación), Edición 1997.*

**OPRIMA AQUI PARA VER LA TABLA DE EXPECTATIVA DE VIDA****CALCULO DEL USUFRUCTO VIUDAL**

(version de prueba Sept 2005)

**CONYUGE SUPERSTITE**

<b>Caudal</b>	<b>35,000.00</b>	
<b>Edad Viuda</b>	<b>69</b>	
<b>Genero</b>	<b>m</b>	
<b>expectativa de vida</b>	<b>17.2</b>	<b>10.548971022</b>
<b>Interes</b>	<b>6%</b>	

**I. Con un solo hijo**

Una tercera parte de la herencia

Del tercio de mejora

<b>Usufructo de</b>	<b>11,666.67</b>
<b>Anualidad</b>	<b>700.00</b>
<b>Comutación</b>	<b>7,384.28</b>

Vigente

<b>Intestada</b>	<b>7,384.28</b>
<b>Testada</b>	
<b>no menos de</b>	<b>7,384.28</b>
<b>no mas de</b>	<b>19,050.95</b>

**II. Con ascendientes**

Una tercera parte de la herencia

De la libre disposicion

<b>Usufructo de</b>	<b>11,666.67</b>
<b>Anualidad</b>	<b>700.00</b>
<b>Comutación</b>	<b>7,384.28</b>

Vigente		
Intestada		7,384.28
Testada		
no menos de		7,384.28
no mas de		24,884.28

### III. Con dos o más hijos o descendientes

#### 1) hijos de un solo matrimonio

(Legítima larga menos la mejora) dividido entre la cantidad de hijos mas uno

Del tercio de mejora

Cantidad de hijos	2
Mejora	0
Usufructo de	7,777.78
Anualidad	486.67
Comutación	4,922.85

Vigente		
Intestada		4,922.85
Testada		
no menos de		4,922.85
no mas de		16,589.52

#### 2) hijos de mas de un matrimonio

(Legítima larga menos la mejora) dividido entre la cantidad de hijos

De la libre disposición

Cantidad de hijos	0
Mejora	0
Usufructo de	NaN
Anualidad	NaN
Comutación	NaN

Vigente		
Intestada		NaN
Testada		
no menos de		NaN
no mas de		NaN

### IV. Con personas que no son ni descendientes ni ascendientes

La mitad de la herencia

Del total de la herencia

Si no hay colaterales preferentes hereda la totalidad

Usufructo de	17,500.00
Anualidad	1,050.00
Comutación	11,076.42

Vigente		
Intestada		11,076.42
Testada		
no menos de		11,076.42
no mas de		35,000.00

☒ Automatic recalculation [Recalculate](#)

Esta Calculadora que ofrecemos se encuentra en estado de prueba; Agradeceremos cualquier comentario, así como cualquier sugerencia relacionada con este servicio.

Label Matrix for local noticing  
0104-3  
Case 10-01471-BKT13  
District of Puerto Rico  
Old San Juan  
Wed Apr 7 12:34:15 AST 2010

MONEY EXPRESS  
BANKRUPTCY DIVISION  
PO BOX 9146  
SAN JUAN PR 00908-0146

JAIME L CASIANO COLON  
188-17 CALLE 523  
VILLA CAROLINA  
CAROLINA, PR 00985-3004

End of Label Matrix  
Mailable recipients 8  
Bypassed recipients 0  
Total 8

US Bankruptcy Court District of P.R.  
U.S. Post Office and Courthouse Building  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

MONEYEXPRESS  
PO BOX 11890  
SAN JUAN, PR 00922-1890

JOSE M PRIETO CARBALLO  
JPC LAW OFFICE  
PO BOX 363565  
SAN JUAN, PR 00936-3565

CITI FINANCIAL  
P O BOX 499  
HANOVER, MD 21076-0499

ALEJANDRO OLIVERAS RIVERA  
ALEJANDRO OLIVERAS, CHAPTER 13 TRUS  
PO BOX 9024062  
SAN JUAN, PR 00902-4062

MONSITA LECAROS ARIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901-1938